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CF/007 Re

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Reissue Applicants : Stuart A. Fraser et al.
Application No. : 09/859,661 Confirmation No.: 3933
Filed : May 17, 2001
For : AUTOMATED AUCTION PROTOCOL PROCESSOR
For Reissue of
Patent : 5,905,974 (Issued May 18, 1999)
Group Art Unit : 3622
Examiner : James W. Myhre

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98,
reissue applicants hereby make the following documents of
record in the above-identified patent application.

OTHER DOCUMENTS

Memorandum from Bob McCausland to Larry Gomes,
October 16, 1990, pgs. 2.

Memorandum from Bob McCausland to Larry Gomes,
March 6, 1991, pgs 2.

Memorandum from Bob McCausland to Larry Gomes,
April 3, 1991, pgs. 2.

Memorandum from Bob McCausland to Larry Gomes,
April 5, 1991, pgs. 2.

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Memorandum from Bob McCausland to Larry Gomes,
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Memorandum from Bob McCausland to Larry Gomes,
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Chats Advances at Chapdelaine, Bondweek, Vol. X, No.
1, January 8, 1990, at 7.

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Vol. X, No. 2, January 15, 1990 at 4-5.

Chapdelaine's Trading System Up and Running,
Bondweek, Vol. X, No. 14, April 9, 1990 at 10.

EJV Says Its Trading System Will Recognize Voice Orders, Bondweek, Vol. XI, No. 10, March 11, 1991 at 9.

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Univu Pilot is up at EJV's Partners, Plus One Non-Partner, Bondweek, Vol. XI, No. 32, August 12, 1991 at 8.

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EJV Pre-Selling Its Analytics Product, Bondweek, Vol. XI, No. 50, December 16, 1991 at 11.

Trading Tech Secrets: A Chat with Dexter Senft of EJV Partners, Bondweek, Vol. XII, No. 10, March 9, 1992 at 8.

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Bondweek, Vol. XII, No. 20, May 18, 1992 at 8.

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Liffe Plans £1.25 Million Upgrade of its After-Hours System, Bondweek, Vol. XII, No. 46, November 16, 1992 at 11.

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Chicago Board Brokerage User Manuel, 27 pages.

Nicholas Brady, Richard Breeden, and Alan Greenspan, *Joint Report on the Government Securities Market*, January 22, 1992.

LITIGATION DOCUMENTS

eSpeed, Inc. et al., v. Brokertec USA L.L.C., et al., C.A. No. 03-612 (KAJ), SUPPLEMENTAL OPENING BRIEF IN SUPPORT OF MOTION BY PLAINTIFFS eSPEED, INC., CANTOR FITZGERALD, L.P., AND CFPH, L.L.C. FOR PRELIMINARY INJUNCTION.

eSpeed, Inc. et al., v. Brokertec USA L.L.C., et al., C.A. No. 03-612 (KAJ), DEFENDANTS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW.

eSpeed, Inc., et al., v. Brokertec USA L.L.C., et al., C.A. No. 03-612 (KAJ), PLAINTIFFS' MOTION FOR RE-ARGUMENT ON CLAIM CONSTRUCTION.

eSpeed, Inc., et al., v. Brokertec USA L.L.C., et al., C.A. No. 03-612 (KAJ), OPINION.

eSpeed, Inc., et al., v. Brokertec USA L.L.C., et al., C.A. No. 03-612 (KAJ), ORDER.

The above-mentioned documents came to the attention of applicants in the litigation styled eSPEED, Inc. et al. v. BROKERTEC USA, L.L.C. et al., D. Del., Civil Action No. 03-612(KAJ) (hereinafter "the eSPEED litigation"). The eSPEED litigation involves U.S. Patent No. 6,560,580, which is a division of the patent in reissue.

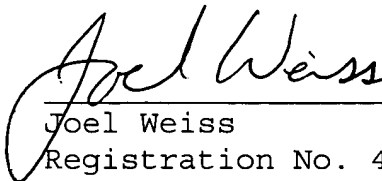
Copies of each of the documents listed above, which are also listed on the accompanying Form PTO-1449 (submitted in duplicate), are enclosed herewith.

It is respectfully requested that these documents be (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent which may issue on this application. Applicants request that a copy of Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

Pursuant to 37 C.F.R. § 1.97(d)(2), applicants have enclosed a check in the amount of \$180.00 in payment of the fee for submission of this Fifth Supplemental Information Disclosure Statement. The Director is hereby authorized to charge payment of any additional fees required in connection with this Statement, or credit any overpayment of the same, to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Consideration of the foregoing in relation to this
patent application is respectfully requested.

Respectfully submitted,

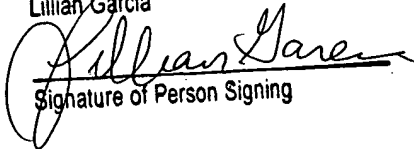


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September 29, 2004

Lillian Garcia



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PATENTS
CF/007 Re

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REISSUE APPLICATION

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NOTICE OF PRIOR OR CONCURRENT
PROCEEDINGS UNDER 37 C.F.R. § 1.178(b)

Sir:

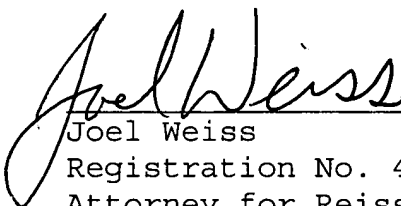
Pursuant to 37 C.F.R. § 1.178(b), applicants hereby
call to the attention of the Patent and Trademark Office the
following prior and concurrent proceedings:

Proceedings	Status
<u>eSPEED, Inc. et al. v.</u> <u>BROKERTEC USA, L.L.C. et</u> <u>al., D. Del., Civil Action</u> No. 03-612(KAJ)	Pending

Proceedings	Status
<u>Cantor Fitzgerald, L.P. v. Liberty Brokerage Investment Corp.</u> Civil Action No. 99-522 (D. Del.)	Dismissed with prejudice; Order of Dismissal ordered on July 18, 2000

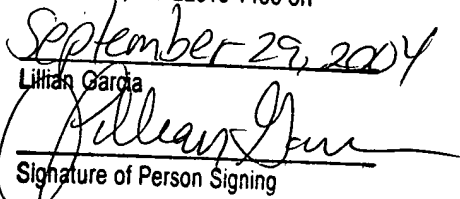
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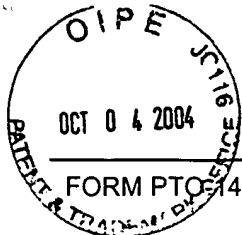
Respectfully submitted,



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Lillian Garcia

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FORM PTO-449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
CF/007 ReAPPLICATION NO.
09/859,661FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANTSAPPLICANTS
Fraser et al.CONFIRMATION
NO. 3933FILING DATE
May 17, 2001GROUP
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

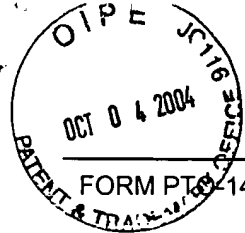
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FORM PT. 1449

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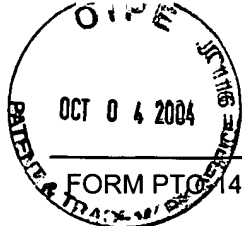
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	Chicago Board Brokerage User Manual, 27 pages.
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